I. PURPOSE

Sound Transit shall comply with, and assure the compliance of each third-party contractor at any tier and each sub-recipient at any tier with the provisions of Title VI of the Civil Rights Act of 1964, as amended. Title VI provides (in part):

> **"No person in the United States shall, on the grounds of race, creed, color, national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."**

In addition, Sound Transit shall comply with Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations," and the Federal Department of Transportation's Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries.

Federally funded activities to include but not limited to, programs, or program implementation, planning, contracting, transit services and transit benefits. Sound Transit's Diversity Programs Office has been designated as the Office to take, receive, and process Title VI Discrimination Complaints. All complaints whether formal or informal will be acted upon in a prompt manner by Sound Transit.

II. PROCEDURE

Individuals, group of individuals, organizations or entities who believe they have been discriminated against in violation of Title VI may file a Sound Transit Title VI Discrimination Complaint (i.e., "a formal complaint"). A formal complaint must be filed within 180 days of the alleged occurrence. The complaint form is available along with a copy of these procedures at the following location, **Sound Transit, Diversity Programs Office, Union Station, 401 South Jackson St., Seattle, Washington 98104-2826, telephone: (206) 689-4914, or click here to download the form>>>**

III. COMPLAINT FILING

Upon Sound Transit's receipt of a formal complaint from a "Complaining Party"(Complainant) or Sound Transit's receipt of a completed, dated and signed ***Sound Transit Title VI Discrimination Complaint Form*** alleging a violation(s) of Title VI describing the actions, practices etc., in question, Sound Transit's Diversity Programs Office will contact in writing the Complainant to acknowledge receipt of their allegation of complaint and will send a copy of these procedures.

If a complaint is submitted on other than the ***Sound Transit Title VI Discrimination Complaint Form***, the complaint will be considered an informal complaint. Sound Transit will request the individual or other party that submitted an informal complaint to transfer their informal complaint to the ***Sound Transit Title VI Discrimination Complaint Form*** or make a written complaint that complies with the contents of ***Sound Transit's Title VI***

Discrimination Complaint Form. Complaints shall be addressed as follows: **Title VI Complaint, Sound Transit, Diversity Programs Office, Union Station, 401 South Jackson St., Seattle, Washington 98104-2826.**

IV. DETERMINATION OF JURISDICTION, ACCEPTANCE, AND INVESTIGATIVE MERIT OF THE COMPLAINT

Upon receipt of the formal complaint, Sound Transit's Diversity Programs Office (DPO) will determine the jurisdiction, acceptability, need for additional information and investigative merit of the complaint. The DPO will decide the course of action for the complaint. The DPO may consult with the Legal Department in making the determination of jurisdiction, acceptance and investigative merit. In most instances, the Complainant will be notified in writing of such determination within fifteen (15) working days of receipt of the complaint.

V. NOTICE TO RESPONDENT

If Sound Transit's Diversity Programs Office determines that is has jurisdiction and accepts the complaint, in addition to notifying the Complainant, DPO will notify in writing the appropriate "Responding Party" (Respondent) that a Title VI Discrimination Complaint has been filed and will seek a detailed written response from the Respondent within ten (10) working days of their receipt of the notification from Sound Transit. A copy of the Title VI Discrimination Complaint and a copy of these procedures will be forwarded to the Respondent.

VI. INFORMAL RESOLUTION OF THE COMPLAINT

Sound Transit's Diversity Programs Office will review the response and determine whether or not an informal attempt to resolve the complaint is appropriate.

If Sound Transit's Diversity Programs Office determines that an attempt to informally resolve the complaint is appropriate, Sound Transit's Diversity Programs Office will contact the Complainant and the Respondent, or their respective representatives, and invite them to meet in conference to discuss the nature of the complaint and to attempt to resolve the complaint prior to a formal investigation. Sound Transit's Diversity Programs Office will act and serve as the mediator.

If either or both the Complainant and the Respondent are being represented by other persons, such persons must have the authority to act on behalf of the Complainant or Respondent, as applicable, in all matters related to the complaint. To the extent permitted by Washington State law, **all discussions and all correspondence relative to any proposed terms to resolve the complaint shall be kept confidential whether or not an agreement to resolve the complaint is reached.**

VII. AGREEMENT WITHOUT FORMAL INVESTIGATION

If the Complainant and Respondent agree to resolve the complaint without the need for a formal investigation, Sound Transit's Diversity Programs Office will reduce the terms to writing as an Agreement. The Agreement in original form will be forwarded to the Complainant and Respondent or their respective representatives, for their signatures acknowledging their concurrence. The complaint will henceforth be resolved with no further action by Sound Transit unless either or both parties violate any term or terms of the Agreement. The Diversity Programs Office will monitor compliance with the Agreement.

VIII. FORMAL INVESTIGATION

If the complaint is not informally resolved, or a determination is made not to meet to informally resolve the complaint, Sound Transit's Diversity Programs Office will assign an Investigator who shall, within five (5) working days from the unsuccessful attempt to resolve the complaint or the determination not to attempt informal resolution, notify the Complainant and Respondent or their respective representatives that Sound Transit's Diversity Programs Office will conduct a Title VI investigation.

The Investigator will make every effort to complete the formal Title VI investigation within sixty (60) calendar days from receiving the assignment from Sound Transit. If the investigation will take longer than sixty (60) calendar days, the Investigator will notify the Complainant and Respondent, and their agents, designees or representatives, of the delay and estimated date of completion. Upon the completion of the Title VI investigation, the Investigator will reduce the results of the investigation to writing, outlining the complaint, the response, the pertinent facts reviewed and the conclusion with any recommendations. If the Investigator determines there was no reason to believe a violation of Title VI has occurred, the Investigator will submit a copy of the written findings to both the Complainant and the Respondent or their agents, designees or representatives.

During the course of the Title VI investigation, the Investigator may make requests of the Complainant and Respondent for documents, materials, witnesses to be interviewed, and other information to assist in the investigation. The Complainant, Respondent, and their agents, designees, or representatives, shall cooperate fully with the Investigator and comply with requests made by the Investigator. Failure to cooperate with the Investigator may result in a determination adverse to the non-cooperating party.

IX. NON-RETALIATION

Anyone who files a Title VI Discrimination Complaint with Sound Transit and any witnesses who provide statements or persons who assist in the investigation whether or not a violation of Title VI is found, shall suffer no retaliation, or reprisal by Sound Transit, it's employees, it's agents, those affiliated with, those doing business with, representing or acting on behalf of Sound Transit, to include but not limited to, contractors, consultants, their sub-contractors and sub-

consultants, vendors, suppliers and providers of service. Anyone claiming to be aggrieved under this section may also file a Title VI Discrimination Complaint with Sound Transit.

X. FINDINGS

The Investigator shall enter a finding either (1) there is reason to believe a violation of Title VI occurred or (2) there was no apparent violation of Title VI. The Investigator shall forward a copy of the finding to the Complainant and Respondent, and their agents, designees or representatives.

As part of the finding, the Investigator shall describe the conduct which is the subject of the complaint, the scope of the investigation and the reasons on which the finding is based. The finding may include copies of documents, materials, summaries of witnesses statements and other information that would assist the Complainant and Respondent to understand the finding.
The Investigator shall also forward a copy of the finding and all supporting information to Sound Transit's Legal Department and Diversity Programs Office.

XI. CONCILIATION

If the Investigator determines there is reason to believe a violation of Title VI occurred, the Investigator will invite the Respondent and Complainant, or their agents, designees or representatives, in writing to meet separately with the Investigator to attempt to conciliate the conduct which is the subject of the complaint. The Investigator shall submit a "Proposed Terms of Conciliation" to the Complainant and Respondent, or their agents, designees or representatives, for review and consideration. In addition, the Investigator shall forward a copy of the "Proposed Terms of Conciliation" to Sound Transit's Legal Department and Diversity Programs Office.
Upon the successful conciliation, the Investigator shall issue a final "Terms of Conciliation" as an agreement signed by the Complainant and Respondent, or their agents, designees or representatives. The Diversity Programs Office will be responsible for monitoring compliance with the final "Terms of Conciliation".

XII. APPEAL PROCEDURES

The Complainant or Respondent may file an appeal of the finding by the Investigator. The appeal shall be submitted in writing stating the reason(s) for the appeal. Any documentation supporting the appeal must accompany the appeal. The written appeal shall be submitted to **Sound Transit's Diversity Programs Office, Union Station, 401 South Jackson St., Seattle, Washington 98104-2826** within fifteen (15) calendar days from the date of receiving the Investigator's finding.

Sound Transit shall forward a copy of the appeal and accompanying documentation to the non-appealing party. The non-appealing party may submit responses on the appeal

to Sound Transit no later than ten (10) calendar days following receipt of the appeal and documentation from Sound Transit.

Sound Transit's Chief Executive Officer (CEO), or his or her designee, shall promptly consider the appeal . Consideration of the appeal will be based on written appeal and accompanying documentation and may, in the discretion of the CEO or designee include meeting with the appealing party, the non-appealing party or both, separately or together.

Sound Transit's CEO or designee shall within a reasonable time but not to exceed sixty (60) calendar days from receipt of the appeal by Sound Transit, issue a written decision to the appealing party. The decision shall include an explanation of the reasons for the decision and any facts that were considered in the rendering the decision. The decision by the CEO or designee shall constitute the final administrative determination by Sound Transit.

XIII. WITHDRAWAL

The Complainant or their agent, designee or representative shall have the right to withdraw the Title VI Discrimination Complaint at any time by submitting a notice of withdrawal of complaint to Sound Transit.

Upon withdrawal of the Title VI Discrimination Complaint, Sound Transit will issue a written notification that the complaint is closed and will forward the notification to the Complainant and Respondent and their agents, designees and representatives.

XIV. SETTLEMENTS

The Complainant and Respondent may at any time settle the complaint on such terms as are acceptable to them. Upon settlement, the Complainant and Respondent shall submit a statement that the complaint has been settled to Sound Transit. Sound Transit will then close the complaint.

XV. SOUND TRANSIT'S OBLIGATION TO PURSUE TITLE VI INVESTIGATIONS

Sound Transit has determined that in order to comply and assure compliance with Title VI of the Civil Rights Act, it has the legal obligation to pursue any Title VI investigation under any circumstance or condition, including the absence of any complaining party or parties. This obligation shall include situations in which parties have withdrawn their complaint.

XVI. PARTY'S RIGHT TO FILE COMPLAINTS WITH THE FEDERAL TRANSIT ADMINISTRATION

Any person who believes he/she or any specific class of persons to be subjected to discrimination prohibited by Title VI may by him/herself or by a representative file a written complaint with the Federal Transit Administration (FTA). A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA. The complaint process and procedures followed by FTA are set forth in FTA Circular 4702.1A, a copy of which may be obtained from Sound Transit's Diversity Programs Office.